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Inc.*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PENELOPE HOUSTON, an individual,
GREG INGRAHAM, an individual, JAMES
WILSEY, an individual, and DANIEL
O'BRIEN, an individual,

Plaintiffs,

v.

DAVID FERGUSON, an individual dba CD
PRESENTS, BURIED TREASURE MUSIC
and ANARCHY ANTHEMS; THE IRENE J.
FERGUSON TRUST, an entity of unknown
origin doing business as BURIED TREASURE
MUSIC, BURIED TREASURE, INC., a
Corporation of unknown jurisdiction and
RHAPSODY INTERNATIONAL, INC., a
Delaware Corporation,

Defendants.

CASE NO. 3:10-CV-01881 JSW

**STIPULATION AND ~~PROPOSED~~
ORDER RE: EXTENSION OF TIME TO
FILE RESPONSE TO COMPLAINT**

Pursuant to 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, Plaintiffs Penelope Houston, Greg Ingraham, James Wilsey and Daniel O'Brien ("Plaintiffs"), on the one hand, and Defendant Rhapsody International Inc. ("Defendant"), on the other hand, hereby stipulate as follows:

WHEREAS, Plaintiffs and Defendant previously stipulated, and this Court previously Ordered, that the time for Defendant to file a responsive pleading shall be extended to and including January 14, 2011; and

WHEREAS, Plaintiffs and Defendant are engaged in settlement discussions in an attempt to resolve their dispute prior to Defendants' filing of a responsive pleading; and

WHEREAS, Rule 6-1(a) of the Local Rules of the United States District Court, Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to the complaint by stipulation in writing and without a Court order provided the change will not alter the date of any event or any deadline already fixed by Court order; and

WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading will not alter the date of any event or any deadline already fixed by Court order;

NOW THEREFORE, Plaintiffs and Defendant, by and through their respective undersigned counsel, hereby stipulate as follows:

1.0 The time for Defendant to file a responsive pleading shall be extended to and including February 14, 2011.

SO STIPULATED.

LAW OFFICE OF ALAN KORN

Dated: January 11, 2011

By: /s/ Alan Michael Korn
Alan Michael Korn
Attorneys for Plaintiffs

THE BERNSTEIN LAW GROUP, PC

Dated: January 11, 2010

By: /s/ Marc N. Bernstein
Marc N. Bernstein
Attorneys for Defendant Rhapsody International, Inc.

Attestation of Concurrence

I, Alan Michael Korn, as the ECF user and filer of this document, attest that, pursuant to General Order 45(X)(B), concurrence in the filing of this document has been obtained from Marc N. Bernstein, the above signatory.

January 11, 2011

/s/ Alan Michael Korn
Alan Michael Korn

~~[PROPOSED]~~ ORDER

Pursuant to the foregoing Stipulation, IT IS HEREBY ORDERED that Defendant Rhapsody International Inc.'s responsive pleading in the above matter shall be filed by no later than February 14, 2011.

Dated: January 12, 2011

By:


Hon. Jeffrey B. White
Judge of the United States District Court
Northern District of California